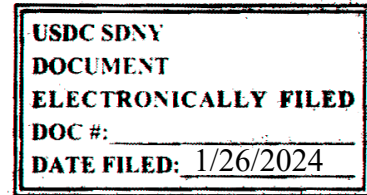


**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**



-----X  
**GARY KEMP,**

**Petitioner,**

**20-CV-09121 (RA)(SN)**

**-against-**

**ORDER**

**JOSEPH NOETH,**

**Respondent.**  
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**SARAH NETBURN, United States Magistrate Judge:**

The Court ordered Petitioner to file a Second Amended Petition by February 12, 2024. ECF No. 58. Petitioner then requested to extend that deadline. ECF No. 59. The Court granted that request on January 16, 2024, and extended the deadline to file the Second Amended Petition to March 12, 2024. ECF No. 60. On January 17, 2024 – before being mailed a copy of the Court’s order amending the deadline – Petitioner filed a habeas petition relating to the same convictions. That new petition was assigned Case No. 24-cv-00504.

By February 9, 2024, Petitioner shall file a letter informing the Court whether he intended the newly filed petition to be the Second Amended Petition in this case.

**SO ORDERED.**

\_\_\_\_\_  
SARAH NETBURN  
United States Magistrate Judge

DATED: January 26, 2024  
New York, New York